GA No. 208 of 2001
(Old No. 1690/1998)
Hon'ble B.C. Kandpal, J.

This appeal has been preferred by the State Government against the impugned judgment and order dated 27.01.1998 passed by Chief Judicial Magistrate, Pauri Garhwal in Criminal Case No. 140 of 1997 whereby the respondent was acquitted from the charges leveled against him.

Feeling aggrieved by the aforesaid order, the State preferred this appeal before the Allahabad High Court which has been transfer to this Court after creation of separate State, for disposal.

Heard learned A.G.A. on the point of admission and perused the impugned judgment passed by the court below.

Having considered the arguments advanced by learned counsel for the State, I am of the view that the trial court has thoroughly scrutinized the evidence adduced by the prosecution. I share my view with the trial court that the acquittal of the respondent does not require any interference. The trial court has rightly acquitted the accused person, keeping in view the inconsistency in the evidence of the witnesses, corroboration with the medical evidence as well as in the light of the aforesaid reason; I do not find any merit in this appeal.

Accordingly, the government appeal is dismissed in-limine.

(B.C.K., J.)

14.11.2007
ASWAL